

PROB 12C
(7/93)

United States District Court

for the
Eastern District of Washington

Report Date: July 12, 2013
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 15 2013

SEAN F. McAVOY, CLERK DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Juan Pena

Case Number: 2:06CR02001-001
2:06CR02146-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 12/19/2006

Original Offense: 2:06CR02001-001
Distribute and Receive Child Pornography, 18 U.S.C. § 2252A(a)(2)(A)

2:06CR02146-001
False Statement in Acquisition of a Firearm, 18 U.S.C. § 922(a)(6)

Original Sentence: 2:06CR02001-001 Type of Supervision: Supervised Release
Prison - 69 Months
TSR - 60 Months

2:06CR02146-001
Prison - 10 Months
TSR - 36 Months

Asst. U.S. Attorney: **Stephanie A. Whitaker** **Date Supervision Commenced:** **4/23/2013**

Defense Attorney: Ulvar Klein **Date Supervision Expires:** 4/22/2018

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

Violation Number	Nature of Noncompliance
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1 **Special Condition # 19:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs and plethysmographs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.

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Supporting Evidence: Mr. Pena has failed to participate in a sex offender treatment program as ordered by the Court as of July 11, 2013.

Mr. Pena was referred to Alliance Counseling for sex offender treatment. According to the assessment, Mr. Pena presented himself being not amenable to treatment based on the defendant minimizing his offense behavior, not taking responsibility, and lack of interest in treatment. Mr. Pena has also stated that further treatment would be a waste of time.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegation contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 12, 2013

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

No Action
 The Issuance of a Warrant
 The Issuance of a Summons
 Other

L. D. Mullen

Signature of Judicial Officer

7/15/13

Date